

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-20-28-GF-BMM

Plaintiff,

vs.

JALISSA HALEY FERN SPOTTED
BIRD,

ORDER

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 18, 2023. (Doc. 80.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 17, 2023. (Doc. 79.) The United States accused Jalissa Spotted Bird (Spotted Bird) of violating her

conditions of supervised release 1) by consuming alcohol on three separate occasions; and 2) by failing to complete her outpatient substance abuse treatment program. (Doc. 70.)

At the revocation hearing, Spotted Bird admitted to violating the conditions of her supervised release 1) by consuming alcohol on three separate occasions; and 2) by failing to complete her outpatient substance abuse treatment program . (Doc. 79.) Judge Johnston found that the violations that Spotted Bird admitted proved to be serious and warranted revocation, and recommended that she receive a custodial sentence of 1 year and 1 day, with no months of months of supervised release. (Doc. 80.) Spotted Bird was advised of her right to appeal and her right to allocute before the undersigned and waived those rights. (Doc. 79.) The violations prove serious and warrant revocation of Spotted Bird's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 80) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Jalissa Haley Fern Spotted Bird be sentenced to the custody of the United States Bureau of Prisons for 1 year and 1 day with no supervised release to follow.

DATED this 21st day of August, 2023.

A handwritten signature in blue ink, appearing to read "Brian Morris".

Brian Morris, Chief District Judge
United States District Court